

### REMARKS

By this amendment, claims 1, 3, 4, 5, 7, 8 and 9 have been amended. No claims have been added. After entry of this amendment claims 1-9 will remain pending. Reconsideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks.

In the Office Action, claims 1-6 were rejected by the Examiner. They were specifically rejected as being anticipated by Iwai under 35 U.S.C. 102(b). They were also specifically rejected as being anticipated by Inoue under 35 U.S.C. 102(b)

Independent claim 1 has been amended for clarity and to now recite a method of manufacturing an engine cowling comprising, *inter alia*, the step of "selecting a top cap from a family of top caps, each member of the family being formed with an identical lower edge and the selected member of the family being specifically configured to accommodate the particular starter of the engine".

Iwai shows an engine cowling having a lower motor cover, and an upper motor cover with a top cap. The Examiner made the observation that the steps of original claim 1 are inherent in assembling the device of Iwai since, as phrased, the claim did not require that each of the plurality of top caps has a different configuration. In view of this observation, and for purposes of clarity, the Applicants have amended the claim to recite that the top cap is selected from a family rather than a plurality of top caps and that each is specifically configured to accommodate the particular starter. Thus, for the present invention, this means that for each type of starter, the top cap would have a different configuration (except for the lower edge). Therefore, it is respectfully submitted that each and every element recited by claim 1 is not described by Iwai.

Inoue shows an engine cowling having a lower motor cover, and an upper motor cover with a top cap. Two different types of top caps are

described by Inoue. Applicants have no knowledge as to whether the top caps of Inoue could possibly accommodate an electric starter (as suggested by the Examiner), as they are both specifically configured for a manual pull starter. This is irrelevant however as Inoue does not teach or suggest selecting a top cap from a family of top caps, each being specifically configured to accommodate the particular type of starter of the engine. Therefore, each and every element recited by claim 1 is not described by Inoue.

Also, since both Iwai and Inoue fail to teach the same features of the invention, the Applicants submit that the combination of Iwai and Inoue would not result in the claimed invention. Therefore, it is respectfully submitted that claim 1 should now be allowable over Iwai and Inoue, taken either alone or in combination.

Claims 3, 4, and 5 have been amended to more clearly define the invention. Dependent claims 2-6 recite additional features of the invention and are therefore believed to be allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

In the Office Action, claim 7 was rejected by the Examiner. It was specifically rejected as being anticipated by Furukawa under 35 U.S.C. 102(b). It was also specifically rejected as being anticipated by Inoue under 35 U.S.C. 102(b).

Independent claim 7 has been amended for clarity and to now recite an engine cowling comprising, *inter alia*, "a top cap selected from a family of top caps, each being specifically configured to accommodate the particular of engine starter".

Furukawa shows an engine cowling with an upper motor cover having a cover 4a. The cover 4a of Furukawa forms an upper portion of the air intake port and forms a handle for gripping when tilting up the outboard motor. The cover of Furukawa is not configured to accommodate engine starters. Also, Furukawa describes that the cover could have a different construction to be made more rigid, but to cover the same part. It does not teach having different covers having configurations specific to cover different

things, which in the present invention are different engine starters. Therefore, each and every element recited by claim 7 is not described by Furukawa.

As previously described, Inoue shows an engine cowling having a lower motor cover, and an upper motor cover with a top cap. Two different types of top caps are described by Inoue. Although the top caps of Inoue could possibly accommodate an electric starter, they are specifically configured for a manual pull starter. Inoue does not teach or suggest a top cap selected from a family of top caps, each being specifically configured to accommodate the particular type of engine starter. Therefore, each and every element recited by claim 7 is not described by Inoue.

Also, since both Furukawa and Inoue fail to teach the same features of the invention, the Applicants submit that the combination of Furukawa and Inoue would not result in the claimed invention. Therefore, it is respectfully submitted that claim 7 should now be allowable over Furukawa and Inoue, taken either alone or in combination.

In the Office Action, claims 8 and 9 were rejected by the Examiner. They were specifically rejected as being anticipated by Inoue under 35 U.S.C. 102(b).

Claim 8 has been amended to more clearly define the invention. Claim 9 has been amended to correct grammatical errors. Dependent claims 8 and 9 recite additional features of the invention and are therefore believed to be allowable for the same reasons discussed above with respect to claim 7 and for the additional features recited therein.

In view of the above amendments and remarks, the Applicants respectfully submit that claims 1-9 are allowable and that the entire application is in condition for allowance.

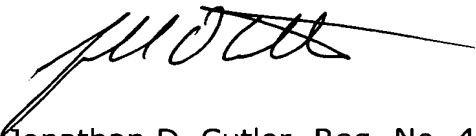
The Examiner pointed out that the information disclosure statement filed on 07/10/2003 did not contain a legible copy of each non-patent literature document. The Applicants also noticed that the foreign patent document and the non-patent literature document of the information disclosure statement filed on 12/04/2003 were not initialed by the Examiner.

Serial No.: 10/615,802  
Art Unit: 3617  
Examiner: VASUDEVA, Ajay

Therefore, a new information disclosure statement containing all of the previously unconsidered references is being submitted herewith along with a legible copy of the foreign patent document and the non-patent literature documents to comply with 37 CFR 1.98(a)(2) so that they may be considered by the Examiner. (The fee under 37 CFR 1.17(p) is enclosed herewith.)

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jonathan D. Cutler', with a long horizontal flourish extending to the right.

Jonathan D. Cutler, Reg. No. 40,576  
Attorney for the Applicant  
Tel. (450) 461-7700  
Fax (450) 461-7833